



MAR 15 2006

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

IFAV

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/551,874
Filing Date	September 30, 2005
First Named Inventor	RUSSWURM
Art Unit	
Examiner Name	
Attorney Docket Number	9740-1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): POSTCARD
Remarks		
Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Akerman Senterfitt/Nicholas Zachariades, Reg. No. 56,712 P.O. Box 3188 West Palm Beach FL 33402-3188
Signature	
Date	March 13, 2006

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Nicholas Zachariades, Reg. No. 56,712		
Signature		Date	March 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: RUSSWURM et al:

Appn No.: 10/551,874

Group:

Date Filed: September 30, 2005

Examiner:

For: METHOD FOR RECOGNIZING ACUTE GENERALIZED INFLAMMATORY
CONDITIONS (SIRS), SEPSIS, SEPSIS-LIKE CONDITIONS AND SYSTEMIC
INFECTIONS

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited
as first class mail with the U.S. Postal Service addressed to
the Commissioner for Patents, P.O. Box 1450, Alexandria
VA 22313-1450 on March 13, 2006.


Nicholas A. Zachariades, Ph.D. , Reg. No. 56,712

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent Office of the documents which are listed on the attached Forms PTO/SB/08A and PTO/SB/08B. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of the cited U.S. patents are not enclosed.

Submission of the listed documents is not intended as an admission that such documents constitute prior art against the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any of the listed documents as a competent reference against the present application. Applicants submit that the present invention is patentable over the cited references.

This Information Disclosure Statement is filed before the first office action on the merits in accordance with 37 C.F.R. 1.97(b)(3); therefore, no fee is believed to be due. However, if a fee is due, the Commissioner is hereby authorized to charge any deficiency in fees to Deposit Account No. 50-0951.

Respectfully submitted,

AKERMAN SENTERFITT

Dated: March 13, 2006

Docket No. 9740-1



Nicholas A. Zachariades, Ph.D.

AKERMAN SENTERFITT

P.O. Box 3188

West Palm Beach, FL 33402-3188

Tel: 561-653-5000



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

Application Number			
Filing Date	09/30/2005		
First Named Inventor	RUSSWURM		
Art Unit			
Examiner Name			
Sheet	1	of	2
	Attorney Docket Number		
	9740-1		

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CHINNAIYAN et al., Molecular Signatures of Sepsis Multiorgan Gene Expression Profiles of Systemic Inflammation, Amer. J. Pathol., 159(4):1199-1209, 10/2001	
		YU et al., Differential gene expression in gram-negative and gram-positive sepsis, Am. J. Respir. Crit. Care Med., 169(10):1135-1143, 05/15/2004	
		SCHLAG et al., The cell in shock: the origin of multiple organ failure, Resuscitation, 21(2-3):137-180, 04/1991	
		PATHAN et al., The complexity of the inflammatory response to meningococcal sepsis revealed by gene expression profiling using cDNA microarrays, Critical Care Med., Bd. 30, Nr. 12, 12/2002	
		WIEGAND et al., Gene Expression Pattern in Human Monocytes as a Surrogate Marker for Systemic Inflammatory Response Syndrome (SIRS), Molecular Med., 5:192-202, 1999	
		PRUCHA et al., Expression Profiling: Toward an Application in Sepsis Diagnostics, Shock, 22(1):29-33, 07/2004	
		COBB et al., Sepsis gene expression profiling: Murine Splenic compared with hepatic responses determined by using complementary DNA microarrays, Crit. Care Med., 30(12):2711-2720, 12/2002	
		DEIGNER, Microarray expression profiling: towards an application in sepsis diagnostics, XP-002327554, www.sirs-lab.de/content/de/pdf/kompetenzen/deigner.pdf, 05/09/2005	
		MIRA et al., Association of TNF2, a TNF- α Promoter Polymorphism, with Septic Shock Susceptability and Mortality, JAMA, 282(6):561-568, 08/11/1999	
		BARRIERE et al., An overview of mortality risk prediction in sepsis, Crit. Care Med., 23(2):376-393, 1995	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

2

Complete if Known

Application Number

Filing Date

09/30/2005

First Named Inventor

RUSSWURM

Art Unit

Examiner Name

Attorney Docket Number

9740-1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BOWTELL, Options Available – From Start to Finish – for Obtaining Expression Data by Microarray, Nature Genetics Supplement, 21:25-32, 01/1999	
		MEMBERS OF THE AMERICAN COLLEGE OF CHEST PHYSICIANS, Definitions for Sepsis and Organ Failure and Guidelines for the Use of Innovative Therapies in Sepsis, Crit. Care Med, 20(6):864-874, 1992	
		HELLER et al., Discovery and Analysis of Inflammatory Disease-Related Genes Using cDNA Microarrays, Proc. Natl. Acad. Sci., 94:2150-2155, 03/1997	
		ROWE et al., An Array Immunosensor for Simultaneous Detection of Clinical Analytes, Anal. Chem., 71:433-439, 1999	
		KOSNY et al., Homo Sapiens (Clone KT2) Bone Morphogenetic Protein-1 (BMP-1) mRNA and Alternatively Spliced Mammalian Tolloid Protein (mTld), XP002307377, European Molecular Biology Laboratory, Database Accession no. L35279, 01/18/1995	
		OBERHOFFER et al., Discriminative power of Inflammatory Markers for Prediction of Tumor Necrosis factor- α and Interleukin-6 in ICU Patients with Systemic Inflammatory Response Syndrome (SIRS) or Sepsis at Arbitrary Time Points, Int. Care Med, 26:S170-S174, 2000	

Examiner Signature	Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.